

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Susan B. Waters

Respondent

Civil Citation No. 757840

3428 Christopher Court

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on July 7, 2010, for a Hearing on a citation for violations of the Baltimore County Zoning Regulations (BCZR) section 428, failure to cease outside storage of unlicensed inoperable vehicle; remove or tag vehicle on residential property zoned DR 5.5 known as 3428 Christopher Court, 21244.

On June 7, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector M Stuart Kelly issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$6,000.00 (six thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 14, 2010 for removal of untagged/inoperative motor vehicle from this residential property. This Citation was issued on June 7, 2010.

B. Photographs in the file show a gray Hyundai sedan with no tags parked in the driveway of this residential property. County zoning regulations prohibit the outside storage of inoperative motor vehicles on a residential lot. BCZR Section 428.1(A). The outside storage of unlicensed motor vehicles is also prohibited, except for one vehicle per dwelling unit for a period not exceeding 15 days in any calendar year. Section 428.1(B). Respondent has exceeded this limitation. Respondent must put valid tags on the vehicle and make it operable, or remove it from the property.

C. Notes in the file from Inspector M. Stuart Kelly state that Respondent telephoned and stated that the vehicle would be removed by the date of this Hearing. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if re-inspection finds the violation has been corrected.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violation is corrected by July 26, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 9th day of July 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer